

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
No. 4:16-CV-190-D

AARON PURNELL DYSON, Power of)
Attorney for ANNIE BATTLE DYSON,)
)
Plaintiff,)
)
v.)
)
PNC BANK, N.A.,)
)
Defendant.)

ORDER

On July 5, 2016, Aaron Purnell Dyson (“Dyson” or “plaintiff”), as power of attorney for Annie Battle Dyson, appearing pro se, filed a motion to proceed in forma pauperis under 28 U.S.C. § 1915, which permits an indigent litigant to commence suit in federal court without paying administration costs associated with such proceedings [D.E. 1].

Dyson seeks to stop PNC Bank, N.A.’s real estate foreclosure of his mother’s home and seeks damages for breach of contract. Plaintiff seeks injunctive relief, declaratory relief, and \$8,402,000.00 in damages. See [D.E. 1-1] ¶¶ 1–4.

An individual may conduct a case pro se in federal court. See 28 U.S.C. § 1654 (“In all courts of the United States the parties may plead and conduct their own cases personally or by counsel”). However, the right to conduct one’s own case does not give one a right to litigate on behalf of another. See Oxendine v. Williams, 509 F.2d 1405, 1407 (4th Cir. 1975) (per curiam). “The reasoning behind this rule is two-fold: it protects the rights of those before the court and jealously guards the judiciary’s authority to govern those who practice in its courtrooms.” Myers v. Loudoun Cty. Pub. Schs., 418 F.3d 395, 400 (4th Cir. 2005) (citations omitted).

Accordingly, Dyson is not permitted to litigate pro se on behalf of his mother Annie Battle Dyson. The motion to proceed in forma pauperis is GRANTED, and the complaint is DISMISSED without prejudice.

SO ORDERED. This 19 day of August 2016.



JAMES C. DEVER III
Chief United States District Judge